

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOULIHAN, LOKEY, HOWARD & ZUKIN, INC.,
and HLHZ INVESTMENTS, LLC,

Plaintiffs,

-against-

KENNETH A. WASIK,

Defendant.

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/19/07

Case No. 07 CV 7030 (SHS)

ORDER GRANTING
PRELIMINARY INJUNCTION

Plaintiff Houlihan, Lokey, Howard & Zukin, Inc. ("Houlihan") having moved by order to show cause pursuant to Fed. R. Civ. P. 65(b) for, among other relief, a temporary restraining order and preliminary injunction as against defendant Kenneth A. Wasik ("Wasik"); and the Court having entered an Order dated August 7, 2007 (the "TRO") that, among other things, enjoined Wasik from using Houlihan's proprietary information and from transmitting or disclosing such information to third parties, directed Wasik to deliver all copies of such information in his possession to his attorneys, and required that Wasik's Macintosh computer remain in the possession of his computer forensics expert; and the parties having agreed to the conversion of the TRO to a preliminary injunction without further motion practice;

Now, therefore, the parties having conferred and agreed to the form of the preliminary injunction to be entered against Wasik, it is hereby:

ORDERED that pending a final adjudication on the merits of Houlihan's claims for injunctive relief, Wasik and all those acting in concert with him are hereby preliminarily enjoined from the following acts:

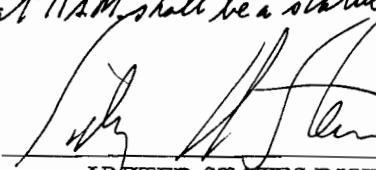
1. Using Houlihan's proprietary information in any way, including with Houlihan clients with whom Wasik dealt while employed by Houlihan; and

2. Sending, transmitting or otherwise disclosing Houlihan's proprietary information to any third party by any means; and it is further

ORDERED that pending a final adjudication on the merits of Houlihan's claims for injunctive relief, (i) all copies of Houlihan's electronic files, documents and other property that, in accordance with the TRO, were surrendered by Wasik to his counsel shall remain with such counsel; (ii) Wasik shall not have access to any of the foregoing property, and shall be allowed to view such property only as reasonably necessary to assist his counsel in the defense of the claims against him in this action; and (iii) Wasik's Macintosh computer shall remain in the possession of his computer forensics expert, AON Risk Consulting.

Dated: New York, New York
November 16, 2007

The conference for 12/7/07 at 11 A.M. shall be a status conference. The parties are to meet + confer in advance to try to agree on dates for the remainder of the litigation.


UNITED STATES DISTRICT JUDGE